

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: December 21, 2005
Bulk Item: Yes ☐ No ☒

Division: Growth Management
Department: Planning and Environmental Res.
Staff Contact Person: Timothy J. McGarry

AGENDA ITEM WORDING: Approval of a resolution to provide an exception to the policy of deferring the acceptance and processing of development applications and issuing of development approvals for the redevelopment or conversion of ten units or more of multi-family rental housing and or more mobile home parks.

ITEM BACKGROUND: On August 17, 2005, the Board adopted Resolution No. 320-2005, directing County staff to defer acceptance and processing of applications for the issuance of development approvals for the redevelopment and conversion of ten (10) units or more of multi-family rental housing and/or mobile home parks until February 15, 2006 or until new land development regulations are adopted, whichever comes first. This resolution provided no exceptions that would allow willing property owners to provide for an affordable housing segment as part of the redevelopment of their property.

At its October 19, 2005, meeting, the Board of County Commissioners, at the request of the Growth Management Director, agreed to consider a resolution allowing for an exception to this prohibition, if the property owner is willing to provide for affordable housing as a component of the redevelopment. The staff has prepared a resolution that provides for an exception, if the property owner is willing to restrict at least 30 percent of the total redeveloped units for affordable housing by placing a 99-year restrictive covenant on each unit.

PREVIOUS RELEVANT BOCC ACTION: Adopted Resolution No. 320-2005, on August 17, 2005; and approved on October 19, 2005, the staff preparing an exception to the adopted resolution for the Board's consideration.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval

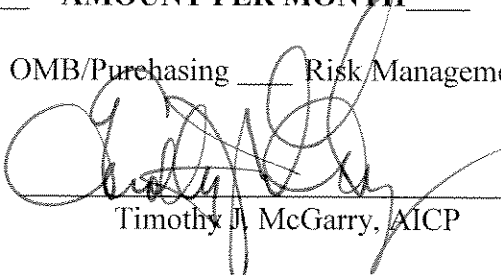
TOTAL COST: N/A **BUDGETED:** Yes ☐ No ☐

COST TO COUNTY: N/A **SOURCE OF FUNDS:** _____

REVENUE PRODUCING: Yes ☐ No ☐ **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty ☒ OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL:


Timothy J. McGarry, AICP

DOCUMENTATION: Included ☒ Not Required ☐

DISPOSITION: _____ **AGENDA ITEM #** _____

RESOLUTION -2005

**A RESOLUTION TO PROVIDE AN EXCEPTION TO THE
POLICY OF DEFERRING THE ACCEPTANCE AND
PROCESSING OF DEVELOPMENT APPLICATIONS AND THE
ISSUANCE OF DEVELOPMENT APPROVALS FOR THE
REDEVELOPMENT OR CONVERSION OF TEN UNITS OR
MORE OF MULTI-FAMILY RENTAL HOUSING AND/OR
MOBILE HOME PARKS FOR THOSE PROJECTS CONTAINING
30% OR MORE AFFORDABLE HOUSING UNITS.**

WHEREAS, the Board of County Commissioners adopted Resolution No. 320-2005 on August 17, 2005, directing County staff to defer acceptance and processing of development applications for the issuance of development approvals for the redevelopment and conversion of ten (10) units or more of multi-family rental housing and/or mobile home parks until February 15, 2006 or until new land development regulations or amended land development regulations are adopted, whichever comes first; and

WHEREAS, Resolution No. 320-2005 was enacted to provide time for the County to prepare and adopt necessary regulations to preserve existing affordable housing stock; and

WHEREAS, that Resolution contained no provisions for those property owners who are willing to retain an affordable housing component in their redevelopment to proceed on redevelopment of their properties; and

WHEREAS, on October 19, 2005, the Board of County Commissioners requested staff to prepare an exception to Resolution No. 320-2005 to allow for redevelopment of mobile home parks of ten units or more, if the property owner is willing to dedicate at least thirty (30) percent of the redeveloped units for affordable housing; and

WHEREAS, the significant impacts of the storm surge from Hurricane Wilma on existing mobile home parks in the Florida Keys have exacerbated the shortage of safe, affordable housing to County residents and workforce; and

WHEREAS, affected property owners may be in a position to move forward to provide safe and affordable housing, especially where significant storm damage has made many existing mobile homes unsafe and uninhabitable; and

WHEREAS, the existing temporary prohibitions against redevelopment of mobile home parks enacted by Resolution 320-2005 preclude property owners from

making necessary improvements to their property that may eliminate substandard and unsafe housing and will conserve and protect existing affordable housing; and

WHEREAS, the Growth Management Division staff has prepared an exception to Resolution No. 320-2005 to allow for redevelopment of mobile home parks of ten (10) units or greater that mirrors the exemption provisions in the draft Interim Development Ordinance presented to the Board of County Commissioners at its June 15, 2005, meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS:

Section 1. An exception to Resolution No. 320-2005, is hereby created that reads as follows:

“Notwithstanding the provision of Resolution 320-2005, the conversion or redevelopment, as defined in Section 3, of mobile home parks with ten or more units parks shall be exempt from said resolution if all the following conditions are met:

1. At least thirty (30) percent of the mobile homes to be redeveloped or converted shall be designated for affordable housing on site through the placement of a ninety-nine (99) year restrictive covenant on each unit pursuant to Section 9.5-266(f)(1) to enforce the affordable housing provisions of Chapter 9.5, Monroe County Code and Conditions 3 through 5 below; and
2. The affordable housing shall be restricted to households that do not exceed the Monroe County adjusted median annual household income; and
3. The lease and occupancy of all affordable housing units shall be pursuant to the provisions of Chapter 9.5, Monroe County Code; and
4. The maximum sales price of any affordable housing unit shall be no greater than 4.25 times the Monroe County median gross annual household income; and
5. No certificates of occupancy shall be issued for market rate units unless certificates of occupancy have been issued for all required affordable units.”

Section 2. All other terms and conditions of Resolution No. 320-2005 shall remain in full force and effect.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a meeting of said Board held on the 21st day of December, 2005.

Mayor Charles "Sonny" McCoy
Mayor Pro Tem Murray Nelson
Commissioner George Nugent
Commissioner David Rice
Commissioner Dixie Spear

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Charles "Sonny" McCoy

(SEAL)

ATTEST: DANNY I. KOLHAGE, CLERK

Deputy Clerk

Monroe County Attorney
Approved as to form

Kenny L. Willis 12.12.05